

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DR. LAKSHMI ARUNACHALAM,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 15-259-RGA
	:	
GEORGE PAZUNIAK,	:	
	:	
Defendant.	:	

**ORDER**

I signed a scheduling order on November 28, 2018. (D.I. 214). Among other things, it provided for Rule 26(a)(1) initial disclosures “within five days of the date of this Order.” *Id.* at 1. Pursuant to Fed. R. Civ. P. 6(a)(1), the deadline was thus December 3, 2018. Plaintiff filed her initial disclosures on December 3; Defendant did so on December 5. (D.I. 220, 222).

The scheduling order also provides a procedure for resolving discovery disputes, which does not allow for the filing of discovery motions. (D.I. 214 at 2-3).

Plaintiff filed a “motion to compel disclosure and sanctions” on December 4, 2018. (D.I. 221). It did not include a statement pursuant to Local Rule 7.1.1, although it did not have to as Plaintiff is a *pro se* party. The rule applies “[e]xcept for civil cases involving pro se parties . . . .” D.Del. LR 7.1.1.

Defendant responded, claiming Plaintiff violated the scheduling order and the Local Rule. (D.I. 223). I do not think her motion violates the Local Rule, as she is *pro se*. Defendant also claimed the local practice was not to include weekends in the counting. Once upon a time,

that was the rule, but the rule was amended in 2009. Thus, Defendant was late. Nevertheless, Plaintiff's motion clearly is a discovery motion, and filed in violation of the scheduling order. It is denied without prejudice. (*See* D.I. 214 at 3).

IT IS SO ORDERED this 19 day of March 2019.

  
United States District Judge